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STATE OF CALIFORNIA  
NEW MOTOR VEHICLE BOARD  
**MINUTES**

The New Motor Vehicle Board (“Board”) held a Special meeting on October 2, 2017, in Hearing Room #1, at the Board’s offices.

2. **ROLL CALL**

Kathryn Doi, Vice President and Public Member, called the meeting of the Board to order at 10:00 a.m.

Present:	Ryan L. Brooks Kathryn Ellen Doi David C. Lizárraga Bismarck Obando Glenn E. Stevens	Robin P. Parker, Senior Staff Counsel Danielle R. Vare, Staff Counsel
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3. **PLEDGE OF ALLEGIANCE**

Ms. Doi indicated that it was not an ordinary day for the Board. Bill Brennan, the Board’s Executive Director, is very ill and greatly missed. In lieu of the pledge there was a moment of silence to reflect on Mr. Brennan and the victims of the Las Vegas shooting.

4. **ORAL PRESENTATION BEFORE THE PUBLIC MEMBERS OF THE BOARD**

CALIFORNIA NEW CAR DEALERS ASSOCIATION v. JAGUAR LAND ROVER  
NORTH AMERICA, LLC  
Protest No. PR-2463-16

Ms. Doi read the following statement “comments by the parties or by their counsel that are made regarding any proposed decision, ruling, or order must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board.” Furthermore, she indicated that since this is an adjudicative matter as described in Government Code section 11125.7(e), therefore members of the public may not comment on such matters.

Oral comments were presented before the Public Members of the Board. Halbert B. Rasmussen, Esq. of The Scali Law Firm represented Protestant. Brian Maas, President of

the California New Car Dealers Association (“CNCDA”) and Anthony Bento, Director of Legal and Regulatory Affairs also with the CNCDA were present. Colm A. Moran, Esq. of Hogan Lovells US LLP represented Respondent.

5. **CLOSED EXECUTIVE SESSION DELIBERATIONS**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

Pursuant to Government Code section 11517(c)(2), the Board could adopt the proposed decision, make technical or other minor changes, reject the proposed decision and remand the case, or reject the proposed decision and decide the case upon the record.

**CONSIDERATION OF PROPOSED DECISION FOLLOWING REMAND**

CALIFORNIA NEW CAR DEALERS ASSOCIATION v. JAGUAR LAND ROVER  
NORTH AMERICA, LLC  
Protest No. PR-2463-16

Consideration of the Administrative Law Judge’s Proposed Decision Following Remand, by the Public Members of the Board.

The Public Members of the Board deliberated in closed Executive Session. Mr. Brooks moved to amend the Administrative Law Judge’s Proposed Decision Following Remand to reflect that Jaguar Land Rover North America, LLC’s policy does not violate Subdivision (y)(1) of Section 11713.3. Ms. Doi seconded the motion. The motion carried unanimously.

6. **OPEN SESSION**

The Public Members returned to Open Session. Ms. Doi announced the decision in Agenda Item 5. Ms. Doi expressed her appreciation of the counsel’s comments and indicated the Board’s decision would be issued within two weeks.

Ms. Parker explained that the Board was not rejecting the Proposed Decision but would be amending the Board Member signature page that is attached to each Board Decision.

7. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at approximately 11:37 a.m.

Submitted by

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ROBIN P. PARKER  
Senior Staff Counsel

APPROVED: \_\_\_\_\_  
Kathryn Ellen Doi  
Vice President  
New Motor Vehicle Board